

WATER BOARD MINUTES

September 15, 2014

**Service Center Conference Room
1100 S. Sherman Street
Longmont, CO 80501**

REGULAR MEETING

The September 15, 2014 meeting of the Longmont Water Board was called to order by Chairman Bruning at 3:02 p.m. at the Service Center Water Conference Room.

1. ROLL CALL

Board Members Present: John Bruning, John Caldwell, Renee Davis, Dave Swenson and Todd Williams.

City Staff Members Present: Ken Huson, Nelson Tipton, Kevin Boden and Cindy Sater.

Council Liaison Present: Mayor Dennis L. Coombs arrived at 3:07 p.m.

2. APPROVAL OF PREVIOUS MONTH'S MINUTES

Motion was made by Board member Caldwell to approve Water Board's July 21, 2014 minutes as written; motion was seconded by Board member Swenson. Motion was passed unanimously 5-0.

3. WATER STATUS REPORT

On behalf of the Water Commissioner, staff member, Kevin Boden, gave the current water status report. The Lyons gage at 2:15 p.m. today was 71 cfs with an historical average of 65 cfs on this date. Ralph Price Reservoir at Button Rock Preserve was at 6,385.7 feet equaling 13,190 acre feet, down approximately 3,007 acre feet. There are no calls on the St. Vrain Creek or South Platte River.

Reservoirs in the St. Vrain system were 80 percent full on August 30th. There is currently 65 cfs being released from Ralph Price Reservoir.

4. PUBLIC INVITED TO BE HEARD AND SPECIAL PRESENTATIONS

There was no public in attendance.

5. AGENDA REVISIONS AND SUBMISSION OF DOCUMENTS

There were no agenda revisions submitted to Water Board. Staff member Ken Huson submitted three documents pertaining to clarification of the definition of “waters of the United States”.

6. DEVELOPMENT ACTIVITY

A. Development Activity Requiring Water Board Action

There were no development activities requiring Water Board action this month.

B. Development Activity Submitted for Water Board Information Only

Information on the North Star Annexation was previously reviewed by Water Board. An updated annexation map was submitted for review. No action was required by the Board.

7. GENERAL BUSINESS

A. Resolution Authorizing First Amendment to Option Contract on Dick Property

Staff member, Nelson Tipton informed Water Board that as part of City of Longmont’s Union Reservoir Land Acquisition Program, the City and Ronald and Tammy Dick (Seller) entered into an Option Contract to Buy and Sell Real Estate on May 6, 2002 which included an option to buy water rights including 0.4045 shares of the Rough and Ready Irrigating Ditch Company (“Rough & Ready”) and 0.4045 shares in the Pleasant Valley Reservoir Fish and Ditch Company (“Pleasant Valley”). The seller now desires to sell 0.25 shares of each of the above mentioned ditch companies to the City. Water Board discussed current market values, irrigation yields, historical use and water supply advantages to the City associated with this purchase option. The price for the shares is based on \$8500 per acre foot of water right, per the August 20, 2014 Dick Water Rights appraisal performed by McCarty Land & Water Valuation, Inc. The average irrigation yield was used for both water rights. Based on the City’s Rough & Ready average irrigation yield of 59.96 acre-feet per share, 0.25 shares equates to 14.99 acre-feet. Based on the City’s Pleasant Valley average irrigation yield of 37.16 acre-feet per share, 0.25 shares equates to 9.29 acre-feet. The purchase price for 0.25 shares of Rough & Ready shall be \$127,415.00 and the purchase price for 0.25 shares of Pleasant Valley shall be \$78,965.00, for a total purchase price of \$206,380.00.

Water Board member Williams made a motion to recommend City Council approve the resolution of the Longmont City Council authorizing the First

Amendment to the Option Contract to Buy and Sell Real Estate between City of Longmont and Ronald and Tammy Dick. Motion was seconded by Board member Swenson. Motion passed 5-0.

B. Cash in Lieu Review

Staff member, Ken Huson reviewed native basin water rights, construction costs for new water supply and C-BT allotment unit transfer costs. Water Board agreed that there were no significant reasons for them to make a change to the current cash in lieu price of \$10,800 per acre-foot.

8. ITEMS FROM STAFF

A. Flood Recovery Updates

Staff member Huson informed Water Board that a 1-year anniversary celebration of the 2013 Flood was held on September 13 near Harvest Junction and a high water line sign has been installed west of the Martin Street Bridge. Bids have been opened for the third phase of woody debris removal on the Button Rock shoreline and work is expected to begin in the next few weeks. An RFP has been sent out for the improved design of the St. Vrain Creek channel through Longmont to select a consulting engineer. The St. Vrain Creek Master Plan draft is available and public meetings have been scheduled to receive public input on the plan.

B. Windy Gap Firing Project Update

Staff member Huson shared the progress on the Northern Municipal Sub district carriage contract for the Windy Gap Firing Project. All of the large items have been agreed upon in principle and the contract has gone to Federal Offices in Washington D.C. for approval. The local office of the Bureau of Reclamation is currently drafting the Record of Decision (ROD). Ken was optimistic that these two documents could be completed before spring 2015 and we could begin looking at the design phase.

C. St. Vrain Creek Flood Recovery Master Planning Update

A public meeting for the St. Vrain Creek Master Plan will be held this evening, September 15 in order to let the Longmont public provide input on the Longmont channel through town.

D. Water Conservation Update

Staff member, Nelson Tipton updated Water Board on the 2013 water conservation programs including the toilet rebate program, slow the flow program, garden in a box program and water-wise landscape seminars. The City received

\$30,000 in grant funding from the Colorado Water Conservation Board in 2013 to help offset the cost of these programs. The same programs were kept active in 2014. In 2014, the Children's Water Festival partnered with the Boulder Valley Schools and the event was held at the CU campus. Programs have been well received and the City has met its goal of a ten percent water use reduction. Discussion was held on additional methods and incentives for water conservation.

9. ITEMS FROM BOARD

A. Review of Major Project Listing & Items Tentatively Scheduled for Future Board Meetings

Water Board's major project listing included in the packet was reviewed.

10. ITEMS FROM COUNCIL

Council member Levison serving on the National League of Cities Board asked Water Board to consider whether or not the City should take a position on the EPA's promulgation of rules and regulations to develop a definition of "Waters of the U.S." The comment period has been extended until October 20, 2014 and Water Board could have time to input. The National League of Cities opposes this action.

Ken distributed information pertinent to EPA's proposed definition of "Waters of the U.S." for Water Board's review.

11. INFORMATIONAL ITEMS AND WATER BOARD CORRESPONDENCE

Informational items were included in the Water Board packet.

12. ADJOURN

There being no further business to come before Water Board, Chairman Bruning asked for a motion for adjournment.

A motion for adjournment was made by Board member Caldwell; the motion was seconded by Board member Williams. Motion passed 5-0.

The meeting was adjourned by Chairman Bruning, at 4:10 p.m.

The next regular meeting of the Longmont Water Board will be held on October 20, 2014, at 3:00 p.m. at the Service Center, 1100 South Sherman Street, Longmont, CO 80501.

John Bruning, Water Board Chair

Date

Cindy Sater, Recording Secretary

Date